

ORIGINAL

No. 23A15

IN THE
SUPREME COURT OF THE UNITED STATES

FILED
JUN 26 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

JAMES WOO — PETITIONER

vs.

JOSE ANGEL BAEZ, MICHELLE MEDINA, and RICHARD BEDNARSKI — RESPONDENTS

APPLICATION FOR EXTENSION OF TIME TO FILE PETITION FOR A WRIT OF CERTIORARI

Petitioner: James Woo, Doc #179463, pro se
Colorado State Penitentiary
P.O. Box 777
Canon City, CO 81215

Petitioner James Woo ("Woo") respectfully requests a 60-day extension of time to file his petition for a writ of certiorari pursuant to Rule 30.3, with a due date of October 19, 2023. As grounds in support, Woo states as follows:

1. Pursuant to Rule 30.3, this application "shall be made to an individual justice". Woo is unsure of the appropriate Justice to whom a matter arising from a Colorado state court should be addressed, and requests that the Clerk direct this application to Justice Ketanji Brown Jackson.
2. Woo's pending petition arises from his civil action against the Respondents in Case No. 2019CV227 before the District Court of El Paso County, Colorado. On appeal, the Colorado Court of Appeals published its opinion in Woo v. Baez, 2022 COA 113, 2022 WL 4542404 on September 29, 2022. The Colorado Supreme Court denied certiorari review on May 22, 2023. As such, the due date for Woo's pending petition is August 20, 2023 pursuant to Rule 13.1.
3. Woo's pending petition challenges the constitutionality of Colorado Revised Statute § 13-20-602 as applied to him as an indigent plaintiff. The statute requires that, in every

RECEIVED
JUL 07 2023
OFFICE OF THE CLERK
SUPREME COURT, U.S.

professional negligence action against a Colorado licensed professional, the plaintiff shall file a certificate of review declaring that an expert has reviewed the facts of the case and concluded that the claim does not lack substantial justification. C.R.S. § 13-20-602(3)(a). Woo contends that the statute violates due process, equal protection, the right to court access, and the separation of powers, requiring him to have the necessary funds to hire an expert before discovery and barring all meritorious claims of indigent plaintiffs from the outset. State courts of last resort conflict in their holdings with respect to the constitutionality of similar statutes.

4. Woo is a closed-custody inmate in solitary confinement, with no physical access to a law library. He requires substantially more time to conduct legal research than general population inmates. Without access to word-processing or adequate funds, he must hand-write five copies of his petition for the Court, the Respondents, the Colorado Attorney General, and himself. Further, he is actively proceeding pro se in his postconviction petition and other matters ancillary to his criminal conviction that will preoccupy most of his time in the coming months.

WHEREFORE, Petitioner James Woo requests a 60-day extension of time to file his petition for a writ of certiorari pursuant to Rule 30.3, with a due date of October 19, 2023.

Respectfully submitted this 25th day of June, 2023.



James Woo
Petitioner, pro se

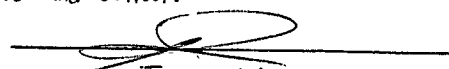
PROOF OF SERVICE

I, James Woo, do swear or declare that on this 25th day of June, 2023, I served the foregoing application on each party's counsel by U.S. Mail, properly addressed, first-class postage prepaid, as follows:

Jeffrey Pagliuca (counsel for Mr. Baez and Ms. Medina)
Haddon, Morgan and Foreman, P.C.
950 17th St., STE 1000
Denver, CO 80202

Murray Weiner (counsel for Mr. Bednarski)
Mulliken Weiner Berg & Jolivet P.C.
102 S. Tejon St., STE 900
Colorado Springs, CO 80903

I declare under penalty of perjury that the foregoing is true and correct.
Executed on June 25, 2023.



James Woo
Petitioner, pro se